

Chief Judge Mark L. Barreca
Chapter 11
Hearing: December 17, 2020 @ 9:30 a.m.
Response Date: December 10, 2020
TELEPHONIC

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF WASHINGTON AT SEATTLE

In re:	No. 18-14536-MLB
TIMOTHY D. EYMAN, Debtor.	MOTION TO RE-CLOSE CASE with DECLARATION OF TIM EYMAN and NOTICE OF HEARING AND PROOF OF SERVICE

NOTICE OF HEARING and PROOF OF SERVICE

PLEASE TAKE NOTICE that an issue of law in this case will be heard on the date below and the clerk is directed to note this issue on the appropriate calendar.

Calendar Date and Time: Thursday, December 17, 2020, at 9:30 AM

Response Date: December 10, 2020

The hearing is scheduled to take place telephonically due to COVID-19 precautions:

Instructions

- (1) Dial: 1-888-363-4749. For hearings held at the hour, please call in 10 minutes before the hour to avoid AT&T conference call congestion.
- (2) Enter Access Code: 9365479#
- (3) Press the # sign
- (4) Enter Security Code when prompted: 8574#
- (5) Speak your name when prompted

Guidelines

(1) Use a land line phone and not a cell phone, if possible. Do not use a speaker phone and do not use “hands-free” if using a cell phone.

1 (2) Make the call from a quiet area where background noise is minimal.
2 (3) Mute your phone until the judge calls your case before speaking. (press "*6" to
mute or unmute.)
3 (4) Do not put the phone on hold at any time after the call is connected.
4 (5) In the event you are unable to connect to the conference call after following the
above procedures, please contact chambers at (206) 370-5310.

5 If no responses are filed by the Response Date, the court may enter an
6 order granting the requested relief without further notice or conducting the hearing
7 set forth above. Copies of this Motion and the Proposed Order have been emailed
8 via the Court's CM/ECF Notice and mailed on this date to all other parties on the
9 attached mailing matrix.

10 DATED this 24th day of November, 2020.

11 /s/ Larry B. Feinstein
12 Larry B. Feinstein WSBA # 6074
13 Kathryn P. Scordato, WSBA #41922
14 Attorneys for Debtor

15 **MOTION**

16 COMES NOW the Debtor, Timothy D. Eyman, by and through his attorney,
17 Vortman & Feinstein, and applies to for final decree as follows:

18 A Plan of Reorganization in these proceedings was confirmed on April 8,
19 2020 (ECF #274), and this case was closed on July 14, 2020 (ECF #297) pursuant
20 to 11 U.S.C. §350(a) and Federal Rule of Bankruptcy Procedure 3022. This case
21 was reopened on October 2, 2020 (ECF #303), for the sole purpose of filing the
22 Debtor's Motion for Sale of the marital home to Karen Eyman as part of their
23 dissolution. The State raised numerous objections to the sale, which were
24 presented to Mrs. Eyman. The original hearing date was continued to give her an

1 opportunity to consider her options. She declines at this time to revise her offer to
2 meet the objections by the State, and has rescinded her prior offer. The Motion
3 was stricken. The Debtor believes that it is highly unlikely that Mrs. Eyman will
4 make another offer on the home for terms agreeable to the State. Mr. Eyman is
5 otherwise current on his plan payments and there is no reason to continue to keep
6 the case open at this time.

7 Accordingly, the Debtor requests that this case be reclosed.

8 DATED this 24th day of November, 2020.

9 /s/ Larry B. Feinstein
10 Larry B. Feinstein WSBA # 6074
11 Attorney for Debtor

DECLARATION OF TIMOTHY D. EYMAN

12 I, Timothy D. Eyman, duly sworn upon oath under penalty of perjury under
13 the laws of the State of Washington, deposes and says as follows:

14 I am the Debtor in these proceedings and I make this Declaration as such.
15 All of the facts contained in the above motion are true and correct to the best of
16 my knowledge and belief, and said facts are incorporated into this Declaration by
17 reference. To the best of my knowledge, there are no further motions or issues to
18 resolve at the present time, and I am current on my Plan payments. I hereby
19 request that this case be administratively re-closed.

20 DATED this 24th day of November, 2020.

21 /s/ Timothy D. Eyman
22 Timothy D. Eyman, Debtor